

ORDINANCE NO. 95-54

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 PALM BEACH COUNTY COMPREHENSIVE PLAN ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED, MODIFYING PAGE 109 OF THE FUTURE LAND USE ATLAS BY CHANGING A PARCEL OF LAND OF APPROXIMATELY TEN ACRES GENERALLY LOCATED AT THE SOUTHWEST CORNER OF GLADES ROAD AND STATE ROAD 7 IN THE MISSION BAY PLANNED UNIT DEVELOPMENT, FROM LOW RESIDENTIAL 3 (LR-3) TO COMMERCIAL LOW INTENSITY (CL/3); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES OF PALM BEACH COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted a public hearing on June 23, June 30, July 14 and July 28, 1995, to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 26 and August 15, 1995, to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of

1 Community Affairs for review and comment pursuant to Chapter 163,
2 Part II, Florida Statutes; and

3 . **WHEREAS**, Palm Beach County received on November 6, 1995, the
4 Department of Community Affairs "Objections, Recommendations, and
5 Comments Report," dated November 2, 1995, which was the
6 Department's written review of the proposed Comprehensive Plan
7 amendments; and

8 **WHEREAS**, on December 1, 1995, the Palm Beach County Local
9 Planning Agency held a public meeting to review the written
10 comments submitted by the Department of Community Affairs, the
11 Planning Division's response to the written comments, and to make
12 recommendations regarding adoption of the Comprehensive Plan
13 amendments; and

14 **WHEREAS**, on December 6, 1995, the Palm Beach County Board of
15 County Commissioners held a public hearing to review the written
16 comments submitted by the Department of Community Affairs and to
17 consider adoption of the amendments; and

18 **WHEREAS**, the Palm Beach County Board of County Commissioners
19 has determined that the amendments as modified satisfy the concerns
20 addressed in the Department of Community Affairs' "Objections,
21 Recommendations and Comments Report" and comply with all
22 requirements of the Local Government Comprehensive Planning and
23 Land Development Regulations Act.

24 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
25 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

26 **Part I. Amendment to the Future Land Use Atlas of the Land**
27 **Use Element of the 1989 Comprehensive Plan**

28 An Amendment to the Land Use Element's Future Land Use Atlas
29 is hereby adopted and is attached to this Ordinance in Exhibit 1.

30 A. Future Land Use Atlas page 109 is amended as follows:

31 Application No.: 95-109 COM 1

32 Amendment: From Low Residential 3 (LR-3) to

Commercial Low-Intensity with an
underlying Low Residential 3 (CL/3)

General Location: Southwest corner of Glades Road and
State Road 7

Size: 10.48 acres.

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated
area of Palm Beach County in conflict with any provision of this
ordinance are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word
of this Ordinance is for any reason held by the Court to be
unconstitutional, inoperative or void, such holding shall not
affect the remainder of this Ordinance.

Part IV. Inclusion in the Code of Laws and Ordinances

The provision of this Ordinance shall become and be made a
part of the code of laws and ordinances of Palm Beach County,
Florida. The Sections of the Ordinance may be renumbered or
relettered to accomplish such, and the word "ordinance" may be
changed to "section," "article," or any other appropriate word.

Part V. Effective Date

The effective date of this plan amendment shall be the date a
final order is issued by the Department of Community Affairs or
Administration Commission finding the amendment in compliance in
accordance with Section 163.3184, Florida Statutes, whichever
occurs earlier. No development orders, development permits, or
land uses dependent on this amendment may be issued or commence
before it has become effective. If a final order of noncompliance
is issued by the Administration Commission, this amendment may
nevertheless be made effective by adoption of a resolution
affirming its effective status, a copy of which resolutions shall
be sent to the Department of Community Affairs, Bureau of Local

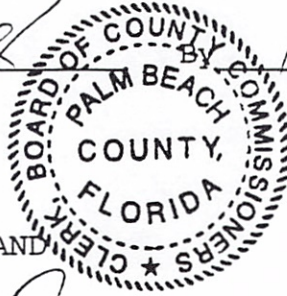
1 Planning, 2740 Centerview Drive, Tallahassee, Florida 32399-2100.

2 **APPROVED AND ADOPTED** by the Board of County Commissioners of
3 Palm Beach County, on the 6 day of December, 1995.

4 ATTEST:
5 DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

6 By: Joan Hawley
7 Deputy Clerk



[Signature]
Chair

8 APPROVED AS TO FORM AND
9 LEGAL SUFFICIENCY

10 Robert P. [Signature]
11 COUNTY ATTORNEY

12 Filed with the Department of State on the 13th day
13 of December, 1995.

14 J:\COMMON\PLANNING\CURRENT\AMEND\ROUND952\ADOPT\MISSNBAY.ORD

EXHIBIT 1

Future Land Use Atlas page 109 is amended as follows:

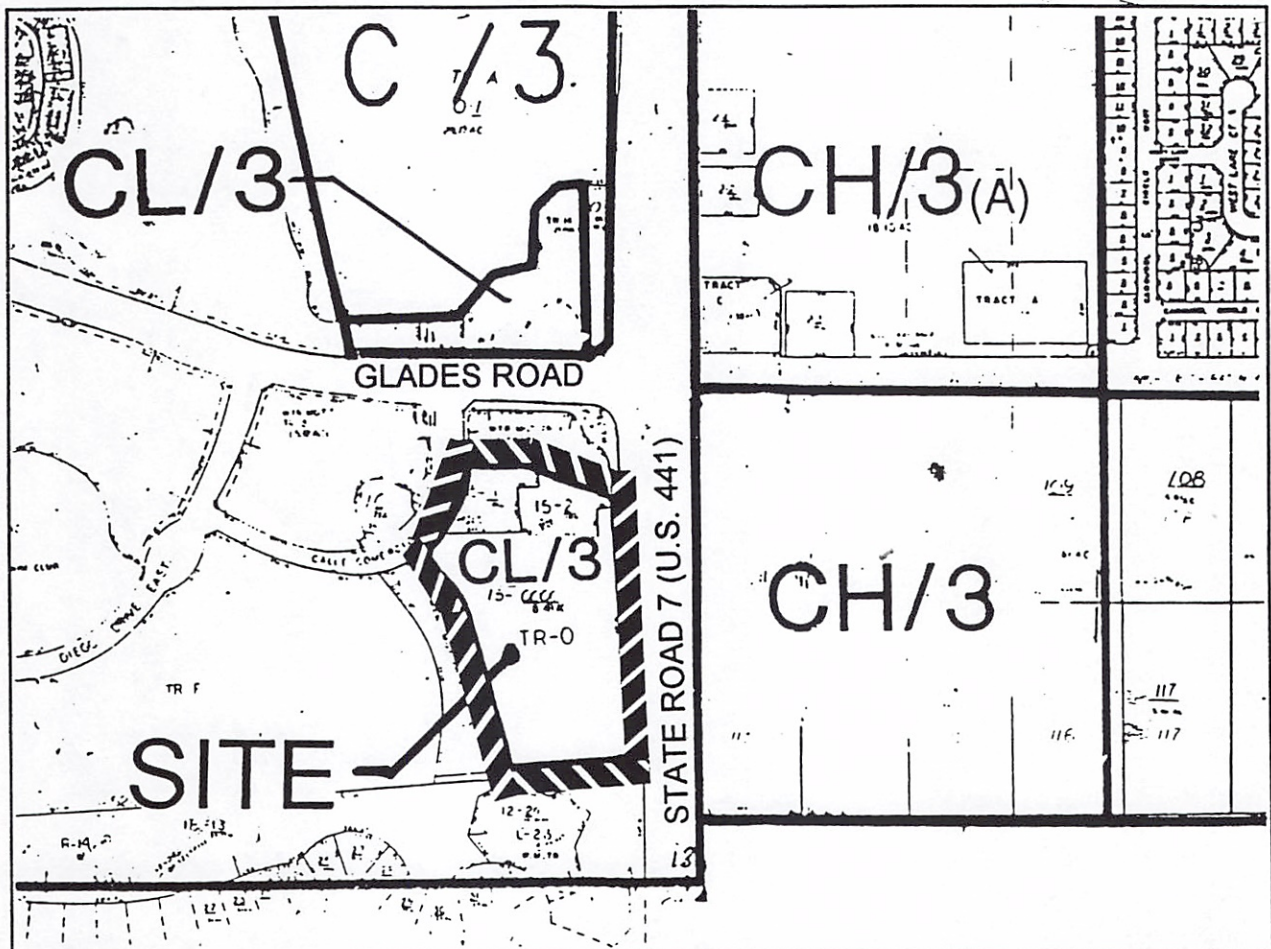
Application No.: 95-109 COM 1

Amendment: From Low Residential 3 (LR-3) to Commercial Low-Intensity with an underlying Low Residential 3 (CL/3)

General Location: Southwest corner of Glades Road and State Road 7

Size: 10.48 acres.

Legal Description: Parcel No. 1 and Parcel No. 2 of MISSION BAY - TRACT "O" (a P.U.D.), according to the Plat thereof, recorded in Plat Book 59. Pages 196 and 197, of the Public Records of Palm Beach County, Florida



STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on 12/6/95
DATED at West Palm Beach, FL on 12/19/95
DOROTHY H. WILKEN, Clerk
By: Phyllis A. House D.C.